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10/650,638	08/28/2003	Fabio Giannetti	300203301-2	7474

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

WEINTROP, ADAM S

ART UNIT	PAPER NUMBER
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2145

MAIL DATE	DELIVERY MODE
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07/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/650,638

Applicant(s)

GIANNETTI ET AL.

Examiner

Adam S. Weintrop

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 18-20 and 22-24 is/are rejected.
- 7) ☒ Claim(s) 7-17 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. **Claims 7-17 and 21** are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-6, 18-19, and 23-24** are rejected under 35 U.S.C. 102(e) as being anticipated by Brid et al. (US 6,772,144 B2).

Regarding **claim 1**, Brid et al. discloses a method of authoring a document to be served for rendering on a plurality of classes of devices (column 2, lines 48-50) comprising: defining at least two choices of content which may be styled for a first content portion of the document (column 5, lines 30-35, with the choices being information relating to a stock), defining at least two choices of content which may be

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styled for a second content portion of the document (column 5, lines 45-50 with more stock information choices), and labeling the choices of content for a web page to indicate to a server approved combinations of content for the first content portion of the web page with the content for the second content portion of the same web page is produced for serving to a requesting user by incorporating an approved combination of content for the first content portion of the web page and the second content portion of the same web page (column 5, lines 54-67, with the defining of data elements to be displayed and the arranging of data elements on a layout seen as labeling an approved combination, since all of some of the content portions are served to the requesting user based on their display format, seen as making an approved combination available to the user by the server, and column 3, lines 12-34, with the device template being used to adaptively layout the content choices for display, seen as approving the combinations of the content choices).

Regarding **claim 2**, Brid et al. discloses the method of claim 1 in which the step of labeling the choices of content to indicate approved combinations is performed manually by an author in column 3, lines 24-25, where the author produces the arrangement of a layout which is equivalent to approving combinations of content.

Regarding **claim 3**, Brid et al. discloses the method which includes an additional step of arranging allowable choices into class sub-sets, each class sub-set including only those labeled choices which match properties of a class of device on which a web document is to be rendered (column 4, lines 46-49, where the device-specific template includes content layout information and device information, thus being equivalent to a

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sub-set which includes labeled approved content choices that match the properties of devices).

Regarding **claim 4**, Brid et al. discloses the method of claim 3 which comprises defining more than one class sub-set of the allowable choices in column 5, lines 61-67, where two different devices are shown to support different class sub-sets of approved content.

Regarding **claim 5**, Brid et al. discloses the method of claim 1 which includes a further step comprising receiving the properties of a device requesting the web document (column 5, lines 19-20), where the device description includes properties as seen in Table 1 in column 3) and selecting from a sub-class of combinations which includes a device requesting the document a set of content which matches the properties of the requesting device (column 5, lines 20-26, where the layout is chosen based on the device description).

Regarding **claim 6**, Brid et al. discloses the method of claim 5 in which the properties comprise physical properties of the device (Table 1 in column 3 show the properties to include device type and physical features of the device).

Regarding **claim 18**, Brid et al. discloses a system for authoring a document to be served for rendering on a plurality of classes of devices (column 2, lines 48-50) comprising: a content defining tool (column 2, lines 50-53) for defining at least two choices of content which may be styled for a first content portion of the document (column 5, lines 32-35 with the stock information choices), defining at least two choices of content which may be styled for a second content portion of the document (column 5,

lines 45-50, with additional content from stock information), and a labeling tool which permits an author to label the choices of content to indicate to a server allowable combinations of content for the first content portion with the content to indicate allowable combinations of content for the first content portion with content for the second content portion of the same document, wherein the document is produced for serving to a requesting user by incorporating an approved combination of content for the first content portion of the document and the second content portion of the document (column 5, lines 54-67, with the defining of data elements to be displayed and the arranging of data elements on a layout seen as labeling an approved combination, since all of some of the content portions are served to the requesting user based on their display format, seen as making an approved combination available to the user by the server, and column 3, lines 12-34, with the device template being used to adaptively layout the content choices for display, seen as approving the combinations of the content choices and column 3, lines 24-25, where the author produces the arrangement of a layout which is equivalent to an author labeling the choices of content, since in creating a layout, choices must be named for their placement in the template).

Regarding **claim 19**, Brid et al. discloses the system of claim 18 in which the content defining tool comprises an editor which permits the author to define an identity and location of existing documents and/or to author new content (column 2, lines 50-59, and column 3, lines 23-33, where the author can create a layout which has data-binding information that inherently would include identity of the items and location of the items,

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and in the step of making the templates, choices must be named for their placement in the template).

Regarding **claim 23**, Brid et al. discloses a data structure that is suitable for processing to produce a rendered document (column 2, lines 48-50) comprising: a content defining section (column 2, lines 50-53) defining at least two choices of content for the document which may be styled for a first content portion of the document (column 5, lines 32-35 with the stock information choices), and at least two choices of content which may be styled for a second content portion of the same document (column 5, lines 45-50, with additional content from stock information), and a label section which includes labels corresponding to choices of content indicating to a server an allowable combinations of content for the first content portion with the content to indicate allowable combinations of content for the first content portion with content for the second content portion of the same document, wherein the document is produced for serving to a requesting user by incorporating an approved combination of content for the first content portion of the document and the second content portion of the same document (column 5, lines 54-67, with the defining of data elements to be displayed and the arranging of data elements on a layout seen as labeling an approved combination, since all of some of the content portions are served to the requesting user based on their display format, seen as making an approved combination available to the user by the server, and column 3, lines 12-34, with the device template being used to adaptively layout the content choices for display, seen as approving the combinations of the content choices and column 3, lines 24-25, where the author produces the arrangement

of a layout which is equivalent to an author labeling the choices of content, since in creating a layout, choices must be named for their placement in the template).

Regarding **claim 24**, Brid et al. discloses the data structure of claim 23 in which a sub-class selection section which includes at least one defined class sub-set, each class sub-set including only those labeled choices which match properties of a class of devices on which the web document is to be rendered (column 4, lines 46-49, where the device-specific template includes content layout information and device information, thus being equivalent to a sub-set which includes labeled approved content choices that match the properties of devices).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 20 and 22**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Brid et al. (US 6,772,144 B2) in view of Lachhwani et al. (US 2002/0116418 A1).

Regarding **claims 20 and 22**, Brid et al. discloses all of the limitations except for having the labeling tool adapted to render automatically selected choices for the author or other user and request the author or user to indicate if the combination is approved. Brid et al. discloses the device property agent which is adapted to retrieve the properties of the device which form a class of devices on which the web document is to

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be rendered (column 4, lines 1-3, with the device description being device properties as seen in column 3, Table 1) as required by claim 22. The general concept of providing a combination or content choices, or layout, to a user is well known in the art as illustrated by Lachhwani et al. Lachhwani et al. discloses a layout designer that take layouts and combines them with content from users (page 3, section 0030, line 1-4). These layouts are presented to the user for approval as shown in Figure 3b in step 360 and corresponding text in page 5, section 0044. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Brid et al. to incorporate approval of the layouts as taught by Lachhwani et al. in order to allow more control over the system to improve the quality.

Response to Arguments

6. Applicant's arguments filed 5/29/07 have been fully considered but they are not persuasive.

Summary and Response to Arguments

A. Applicant argues the rejection under 35 U.S.C. 102(e) under Brid et al. for claim 1 as the prior art reference does not disclose the amended claim limitations.

As to point A, the argument is not persuasive as Brid et al. does disclose labeling content choices approvable as to indicate to the server what choices of content from each portion of the web page are allowable for serving the entire web page (column 5, lines 54-67, with the defining of data elements to be displayed and the arranging of data

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elements on a layout seen as labeling an approved combination, since all of some of the content portions are served to the requesting user based on their display format, seen as making an approved combination available to the user by the server, and column 3, lines 12-34, with the device template being used to adaptively layout the content choices for display, seen as approving the combinations of the content choices).

B. Applicant argues the rejection under 35 U.S.C. 102(e) under Brid et al. for claims 2-6 as the independent claim 1 reads over the cited art.

As to point B, the argument is not persuasive as Brid et al. anticipates the independent claim 1. See above rejection.

C. Applicant argues the rejection under 35 U.S.C. 102(e) under Brid et al. for claim 18 as the prior art reference does not disclose the amended claim limitations.

As to point C, the argument is not persuasive as Brid et al. does disclose labeling content choices approvable as to indicate to the server what choices of content from each portion of the web page are allowable for serving the entire web page (column 5, lines 54-67, with the defining of data elements to be displayed and the arranging of data elements on a layout seen as labeling an approved combination, since all of some of the content portions are served to the requesting user based on their display format, seen as making an approved combination available to the user by the server, and column 3, lines 12-34, with the device template being used to adaptively layout the content choices for display, seen as approving the combinations of the content choices

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and column 3, lines 24-25, where the author produces the arrangement of a layout which is equivalent to an author labeling the choices of content, since in creating a layout, choices must be named for their placement in the template).

D. Applicant argues the rejection under 35 U.S.C. 102(e) under Brid et al. for claim 19 as the independent claim 18 reads over the cited art.

As to point D, the argument is not persuasive as Brid et al. anticipates the independent claim 18. See above rejection.

E. Applicant argues the rejection under 35 U.S.C. 102(e) under Brid et al. for claim 23 as the prior art reference does not disclose the amended claim limitations.

As to point E, the argument is not persuasive as Brid et al. does disclose labeling content choices approvable as to indicate to the server what choices of content from each portion of the web page are allowable for serving the entire web page (column 5, lines 54-67, with the defining of data elements to be displayed and the arranging of data elements on a layout seen as labeling an approved combination, since all of some of the content portions are served to the requesting user based on their display format, seen as making an approved combination available to the user by the server, and column 3, lines 12-34, with the device template being used to adaptively layout the content choices for display, seen as approving the combinations of the content choices and column 3, lines 24-25, where the author produces the arrangement of a layout

which is equivalent to an author labeling the choices of content, since in creating a layout, choices must be named for their placement in the template).

F. Applicant argues the rejection under 35 U.S.C. 102(e) under Brid et al. for claim 24 as the independent claim 23 reads over the cited art.

As to point F, the argument is not persuasive as Brid et al. anticipates the independent claim 23. See above rejection.

G. Applicant argues the rejection under 35 U.S.C. 103(a) as being unpatentable over Brid et al. in view of Lachhwani for claims 20 and 22 as the independent claim 18 is not anticipated by Brid et al.

As to point G, the argument is not persuasive as Brid et al. anticipates in dependent claim 18. See above rejection.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam S. Weintrop whose telephone number is 571-270-1604. The examiner can normally be reached on Monday through Friday 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AW 7/10/07


JASON CARDONE
SUPERVISORY PATENT EXAMINER